

# United States District Court

 COPY

SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE BRICKLAYERS AND ALLIED  
CRAFTWORKERS, LOCAL 5 NEW YORK RETIREMENT,  
WELFARE, LABOR MANAGEMENT COALITION and  
APPRENTICE TRAINING AND JOURNEYMAN UPGRADING  
FUNDS, and BRICKLAYERS AND ALLIED  
CRAFTWORKERS LOCAL 5 NEW YORK,

## SUMMONS IN A CIVIL CASE

Plaintiffs,  
v.

CASE NUMBER:

07 CIV. 7372

B & F MASON CONTRACTORS, INC. and  
GINO FASOLO, Individually,

Defendants.

**BRIEANT**

TO: (Name and address of defendant)

B & F Mason Contractors, Inc.  
10 North Street - P.O. Box 187  
Elmwood Park, NJ 07407

Gino Fasolo  
SAME ADDRESS

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Gellert & Klein, P.C.  
75 Washington Street  
Poughkeepsie, NY 12601

an answer to the complaint which is herewith served upon you, within TWENTY (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(BY) DEPUTY CLERK



DATE

AUG 17 2007

AO 440 (Rev. 10/93) Summons in a Civil Action -SDNY WEB 4/99

## RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>(1)</sup>	DATE <i>8-28-07 9:41 PM</i>
NAME OF SERVER (PRINT) <i>EDWARD ALLEN</i>	TITLE <i>PROCESS SERVER</i>

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: *10 NORTH ST, ELMWOOD  
PMIC, NJ*
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- Returned unexecuted: \_\_\_\_\_
- Other (specify): \_\_\_\_\_

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on *8-28-07*

Date

Signature of Server

*Edward Allen*

Address of Server

EXPRESS PROCESS & SUBPOENA COMPANY INC.  
759 BLOOMFIELD AVE PMB 323  
WEST CALDWELL N.J. 07006  
(973) 364-1220 FAX (973) 364-1252

*MICHAELE MCNAUL*

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.